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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/316,876	05/21/1999	BERNARD T. VARNAU	69849/502	8420

26874 7590 10/23/2006

FROST BROWN TODD, LLC  
2200 PNC CENTER  
201 E. FIFTH STREET  
CINCINNATI, OH 45202

EXAMINER
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WILSON, LEE D

ART UNIT	PAPER NUMBER
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3723

DATE MAILED: 10/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**SUPPLEMENTAL  
Notice of Allowability**

Application No.

09/316,876

Examiner

LEE D. WILSON

Applicant(s)

VARNAU, BERNARD T.

Art Unit

3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/16/06.
2. ☒ The allowed claim(s) is/are 1-3, 5, 10, 14-17, 22 and 23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

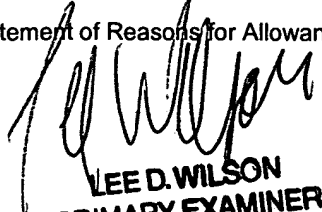
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 10/16/06.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
LEE D. WILSON  
PRIMARY EXAMINER

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Vance VanDrake on 10/16/06.

**The application has been amended as follows:**

2. At page 1, line 14, after "travel." delete the second period.
3. At page 1, line 25, after "proximal" insert -- to --.
4. At page 2, line 1, after "parts" insert --,--.
5. At page 2, line 28, after "comprising" insert -- a --.
6. At page 3, line 22, before "jaw" delete "mater" and insert therefore -- master --.
7. At page 3, line 29, after "is" delete "a".
8. At page 4, line 3, after "top" insert -- view --.
9. At page 4, line 24, before "may" delete "are".
10. At page 4, line 30, after "and" delete "flamed" and insert therefore -- flame --.
11. At page 5, line 8, before "Referring" delete "Figure".
12. At page 5, line 29, after "jaw" delete "22a" and insert therefore -- 18a --.
13. At page 6, line 1, after the first occurrence of "jaw" delete "22a" and insert therefore -- 18a --.
14. At page 6, line 4, after "jaw" delete "22a" and insert therefore -- 18a --.

15. At page 6, line 5, after "jaw" delete "38" and insert therefore -- 38a --.
16. At page 6, line 23, after "circuit" insert -- 48 --.
17. At page 6, line 26, after the first occurrence of "valve" delete "52" and insert therefore -- 52a --.
18. At page 6, line 27, after "interior cavity" delete "54" and insert therefore -- 58a --.
19. At page 7, line 11, after the first occurrence of "and" delete "56b" and insert therefore -- 56a --.
20. At page 7, line 14, after "into" delete "a appropriate positions" and insert therefore -- an appropriate position --.
21. At page 14, line 3, after "in" delete "a".

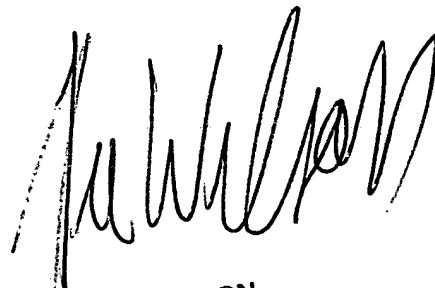
Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEE D. WILSON whose telephone number is 571-272-4499. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH HAIL can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ldw

October 16, 2006



LEE D. WILSON  
PRIMARY EXAMINER